THE HON'BLE SRI JUSTICE D.S.R.VARMA

AND

THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.26031 OF 2005

Dated: 05th June, 2006

Between:

B.Sadasiva, S/o.Late Ramaiah, UPT No.3500,

Central Prison, Bangalore

… Petitioner

And

1. The Assistant Commissioner of Income Tax

Central Circle – I, Hyderabad, and 3 others

… Respondents

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ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.Varma)**

The present Writ Petition is taken up on the petition made by one B.Sadasiva, Under Trial Prisoner No.3500, Central Prison, Bangalore, to the Hon'ble the Chief Justice of Andhra Pradesh High Court.

2. The grievance of the petitioner appears to be that, for certain violations of the Income Tax Laws, he was arrested and imprisoned as 'Under

Trial Prisoner' in connection with the alleged "Stamps Scam". It also further appears to be that C.C.No.2 of 2004 on the file of I Additional Metropolitan Sessions Judge-cum-Special Court under the A.P. Control of Organised Crime Act, 2001, Hyderabad, is also pending in which the petitioner was figured as accused No.12. It is the further averment that further proceedings of prosecution against the petitioner are also going to be launched.

3. At the outset, we are of the view that this petition cannot be maintained for the simple reason that the petitioner is in jail as 'Under Trial Prisoner' in connection with "Stamps Scam" and a detailed investigation is under progress and the Income Tax Authorities also have been trying to proceed against the petitioner basing on his Bank Accounts. When these are the admitted facts, the interference of this Court, at the instance of the petitioner, is holly unjustifiable and uncalled for. Obviously the petition has been made only in order to obviate or postpone the legal proceedings that are likely to be initiated against him.

4. For the foregoing, the writ petition fails and is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed. However, there shall be no order as to costs.

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D.S.R.VARMA, J

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P.SWAROOP REDDY, J

05th June, 2006.

Ak/Krk

THE HON'BLE SRI JUSTICE D.S.R.VARMA

AND

THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

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TAKEN UP WRIT PETITION NO.26031 OF 2005

(Order of the Division Bench

delivered by

the Hon'ble Sri Justice D.S.R.Varma)

05th June, 2006.